

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, April 27, 2011, at 1:00 p.m. in Council Chambers, City Hall South, 2nd Floor.

Present: Councilmember Yolanda Adrean, Chair Joya C. De Foor, CFO
 Councilmember Felicia A. Moore Departmental Staff
 Councilmember Howard Shook
 Councilmember H. Lamar Willis
 Councilmember C.T. Martin
 Councilmember Alex Wan
 Councilmember Aaron Watson

Chairperson Adrean called the meeting to order at 1:10 p.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers Felicia A. Moore, Howard Shook, H. Lamar Willis, C.T. Martin, Alex Wan and Aaron Watson. Other Departmental staff was present as well.

The Agenda was adopted as printed. The motion was made to Accept the Agenda, **Approve 4 Yeas, 1 Nay.** The March 30, 2011 minutes of the Finance/Executive Committee were adopted as well.

DISCUSSION ITEMS/PRESENTATIONS

PERFORMANCE AUDIT: FEDERAL RECOVERY GRANTS CONTROL ASSESSMENT

11-C-0553 (1) A Communication by City Auditor Leslie Ward submitting the Performance Audit Report regarding the Assessment of Federal Recovery Act Grants Controls.

HELD

CONSENT AGENDA

TO AMEND THE FY 2011 (WATER AND WASTEWATER RENEWAL AND EXTENSION FUND) BUDGET

11-O-0637 (1) An Ordinance by Finance/Executive Committee to amend the FY 2011 (Water and Wastewater Renewal and Extension Fund) Budget by adding to anticipations and appropriations Grant proceeds from the United States Environmental Protection Agency in the amount of \$964,300.00 for Grant Number XP-96475707-0; and for other purposes.

FAVORABLE ON FIRST READ

TO ADOPT THE FISCAL YEAR 2012 PROPOSED BUDGET

11-O-0638 (2) An Ordinance by Finance/Executive Committee adopting the Fiscal Year 2012 Proposed Budget, to include all Funds; and for other purposes.

FAVORABLE ON FIRST READ

TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS

11-O-0639 (3) An Ordinance by Finance/Executive Committee authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code of the City of Atlanta Code of Ordinances, to authorize the Mayor, on

behalf of the City of Atlanta ("City"), to negotiate for and to purchase approximately 1.65 acres of property located at 1935 Wellbourne Drive from the Conservation Fund or current land owner ("The Property"), for the purpose of expanding the existing Morningside Nature Preserve Park ("Park"), in an amount not to exceed four hundred thousand dollars (\$400,000.00), the City's purchase price, closing costs, due diligence, and development costs shall be paid from Park Impact Fee North as shown below and amending the 2011 General Government Capital Outlay Fund Budget for the Department of Parks, Recreation and Cultural Affairs and the Department of Finance by transferring between accounts the sum of four hundred thousand (\$400,000.00); and for other purposes.

FAVORABLE ON FIRST READ

TO WAIVE THE COMPETITIVE SOURCE SELECTION REQUIREMENTS

- 11-O-0640 (4) An Ordinance by Finance/Executive Committee authorizing the City of Atlanta to waive the Competitive Source Selection Requirements contained in Section 2-1187 of Article X Procurement and Real Estate Code of the City of Atlanta Code of Ordinances and; authorizing Allied Aviation Fueling of Atlanta, Inc. to provide and the City of Atlanta to accept Fuel Storage Facility and Fueling Facility Management and Operation Services at Hartsfield-Jackson Atlanta International Airport on a month to month basis beginning on May 29, 2011 under the terms of Agreement FC-7468-02 for a period not to extend beyond June 30, 2012, in an amount not to exceed \$3,162,044, to be charged to and paid from FDOA 5501 (Airport Revenue Fund) 5212001 (Consulting/Professional Services) 180302 (Maintenance Airfield); and for other purposes.

FAVORABLE ON FIRST READ

TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS

- 11-O-0641 (5) An Ordinance by Finance/Executive Committee authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code of the City of Atlanta Code of Ordinance, to authorize the Mayor, on behalf of the City of Atlanta ("City"), to negotiate for and to purchase one approximately 2.4 acre parcel of property located at 0 Fairburn Road from the Conservation Fund or current land owner ("The Property"), for the purpose of expanding the existing Ben Hill Park ("Park"), in an amount not to exceed two hundred thousand dollars (\$200,000.00), the City's purchase price, closing costs, due diligence, and development costs shall be paid from Park Impact Fee West 14201997 (Project), 105 (Task), 350291107 (Award), 5411001 (Expense Type Land), Organization City of Atlanta, and amending the 2011 General Government Capital Outlay Fund Budget for the Department of Parks, Recreation and Cultural Affairs and the Department of Finance by transferring between Accounts the sum of two hundred thousand (\$200,000.00); and for other purposes.

FAVORABLE ON FIRST READ

TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS

- 11-O-0642 (6) An Ordinance by Finance/Executive Committee authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code of the City of Atlanta Code of Ordinance, to authorize the Mayor, on behalf of the City of Atlanta ("City"), to negotiate for and to purchase approximately 16.5 acres of property located a 0 Harper Road from the Conservation Fund or current land owner ("The Property"), for the purpose of expanding the existing Swann Preserve Park ("Park"), in an amount not to exceed five hundred sixty thousand dollars (\$560,000.00). The City's purchase price, closing costs, due diligence, and development costs shall be paid from Park Impact Fee South as shown below and amending the 2011 General Government Capital Outlay Fund Budget for the Department of Parks, Recreation and Cultural Affairs and the Department of Finance by transferring between Accounts the sum of five hundred sixty thousand (\$560,000.00); and for other purposes.

FAVORABLE ON FIRST READ

A FIFTEENTH SUPPLEMENTAL BOND ORDINANCE

- 11-O-0643 (7) An Ordinance by Finance/Executive Committee Fifteenth Supplemental Bond Ordinance supplementing the restated and amended Master Bond Ordinance of the City of Atlanta adopted on March 20, 2000 (99-O-1896), as previously amended and supplemented, to provide for the Issuance of not to exceed \$275,000,000 in aggregate principal amount City of Atlanta Airport General Revenue Refunding Bonds, Series 2011A (Non-AMT) (The "Series 2011A Bonds") and not to exceed \$250,000,000 in aggregate principal amount City of Atlanta Airport General Revenue Refunding Bonds Series 2011B (AMT) (The Series 2011B Bonds, together with the Series 2011A Bonds, the "Series 2011A/B Refunding Bonds"), to provide funds for the purpose of among other things, refunding and redeeming all or a portion of the outstanding Airport General Revenue and Refunding Bonds, Series 2000A (Non-AMT) (The "Series 2000A Bonds"), Airport General Revenue Bonds, Series 2000B (AMT) (The "Series 2000B Bonds"), and Airport General Revenue Refunding Bonds, Series 2000C (Forward AMT) (The "Series 2000C Bonds"); to provide for a reasonably required Debt Service Reserve, to reimburse the City for all or a portion of a termination payment made in respect of certain Forward Interest Rate Exchange Agreements entered into in connection with the Series 2000A Bonds and the Series 2000B Bonds; to provide for the form of said Series 2011A/B Refunding Bonds for the execution of said Series 2011A/B Refunding Bonds; providing for the rights of the holders of said Series 2011A/B Refunding Bonds; to authorize and approve the preparation, use and distribution of a Preliminary Official Statement and a Final Official Statement in connection with the offer and sale of said Series 2011A/B Refunding Bonds; granting the Mayor the authority to deem final the Preliminary Official Statement for purposes of Securities and Exchange Commission Rule 15c2-12; granting the Mayor the authority to approve and execute a Final Official Statement; approving the forms and authorizing the execution of said Series 2011A/B Refunding Bonds, a continuing Disclosure Agreement; a Bond Purchase Agreement, and certain other Agreements in connection with said Series 2011A/B Refunding Bonds and providing for incidental action; authorizing

the negotiation and purchase of Municipal Bond Insurance and the selection of a Bond Insurer with respect to all or a portion of said Series 2011A/B Refunding Bonds, if determined to be in the best interest of the City; designating a Paying Agent and Bond Registrar; providing for severability; authorizing certain Officials and Employees of the City to take all actions required in connection with the Issuance of said Series 2011A/B Refunding Bonds; providing certain other details with respect thereto; providing an effective date; and for other related purposes.

FAVORABLE ON FIRST READ

REGULAR AGENDA

TO AMEND CHAPTER 146, ARTICLE III, SECTION 146-76

- 11-O-0513 (1) An Ordinance by Finance/Executive Committee to amend Chapter 146, Article III, Section 146-76, of the City of Atlanta Code of Ordinances, to increase from ten (10) to thirty (30) the number of days required to establish permanent residency for the purpose of providing exemptions from the City's Hotel or Motel Occupancy Tax, so as to align with Section 48-13-51 of the Official Code of Georgia Annotated; and for other purposes.

FAVORABLE

Councilmember Martin offered a motion to **Approve, 5 Yeas.**

TO WAIVE APPLICATION OF THE CITY'S PROCUREMENT AND REAL ESTATE CODE

- 11-O-0514 (2) An Ordinance by Finance/Executive Committee waiving application of the City's Procurement and Real Estate Code and allowing the City to remit to Humble Equipment, Inc. payment in the amount of \$108,000 for services rendered for runway surface and texturing at Hartsfield-Jackson Atlanta International Airport; all contracted work will be charged to and paid from FDOA 5501 (Airport Revenue Fund) 180302 (Maintenance Airfield) 5212001 (Consulting/Professional Services); and for other purposes.

FAVORABLE

Mr. Robert Kennedy: General Manager of the Department of Aviation addressed the Committee by stating that this is for texturizing the Runway. We normally handle it through Homeland Security. The machinery conducts the texturizing. It dates back to December 2009. Over the six or eight months we have been going through past processes. Councilmember Martin offered a motion to **Approve, 5 Yeas.**

TO WAIVE ARTICLE X ("THE PROCUREMENT AND REAL ESTATE CODE")

- 11-O-0515 (3) An Ordinance by Finance/Executive Committee authorizing the Mayor or his designee to waive Article X ("the Procurement and Real Estate Code") of the Atlanta City Code in order to exercise Agreement Renewal Option Number 1 with Trinity Services Group, Inc., for FC-6006007878, Inmate Food Services, and to ratify prior retention of Inmate Food Services subject to the agreement since December 29, 2006 on behalf of the Department of Corrections, in an amount not to exceed \$1,100,000.00 for the purpose of providing food, labor, supplies and material necessary for the preparation of food for detainees in the Atlanta City

Detention Center (ACDC). All contracted work shall be charged to and paid from; 7701 (Trust Fund), 090101 (CORR Commissioner of Corre), 5212001 (Consulting/Professional), 1320000 (Chief Executive), 200769 (Jail Fund Administration), 91491 (Jail Admin N Const 9996); and for other purposes.

FAVORABLE

Chairperson Adrean stated that we have a Substitute.

Ms. Diane Jones: Deputy Chief of the Department of Corrections addressed the Committee by stating that the Substitute is a month to month service that ends on December 28, 2011. We will then do a new RFP. Councilmember Martin offered a motion to **Approve on Substitute, 5 Yeas.**

TO AMEND THE FY 2011 (WATER AND WASTEWATER REVENUE FUND) (5051) BUDGET

11-O-0547 (4) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to amend the FY 2011 (Water and Wastewater Revenue Fund) (5051) Budget in the amount of one million, seven hundred eight thousand, five hundred twenty-two dollars and twenty cents (\$1,708,522.20) to transfer funds from the Water and Wastewater Revenue Fund Reserves for appropriations and add to appropriations for Atlanta Journal Constitution ("AJC") Building located at 72 Marietta Street for Services; and for other purposes.

FAVORABLE

Mr. Jim Beard: Deputy Commissioner of the Department of Watershed Management addressed the Committee by stating that we are segregating out funds for the AJC Building move. There is a handout with the costs. The Project Manager will come with the costs. We are moving in phases, but the last group goes in May.

Mr. Larry Riddle: Director of the Office of Enterprise and Assets Management addressed the Committee by stating that the date is May 20, 2011. We will start with Decatur and Forsyth Streets. Councilmember Martin offered a motion to **Approve 4 Yeas, 1 Nay.**

TO AMEND THE RETIREMENT BENEFITS

11-O-0672 (5) An Ordinance by Councilmembers Aaron Watson, Keisha Lance-Bottoms and H. Lamar Willis to amend the retirement benefits offered by the City of Atlanta to its eligible active employees by: creating a new Section 6-2 to the City of Atlanta Charter, so as to provide a Uniform Employees for work performed on and after November 1, 2011; and placing a hard freeze on the General Employees' Pension Fund, Firefighters' Pension Fund and Police Pension Fund, so that Pension Benefits of Retirees remain unchanged and benefits accumulated by Active Employees as of October 31, 2011 remain unchanged; and for other purposes.

HELD

Councilmember Martin offered a motion to **Hold, 5 Yeas.**

Mr. Peter Aman: Mayor's Office Chief Operating Officer addressed the Committee by stating that he has updated information. Councilmember Moore stated that we could receive the information in writing.

TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA 1996 GA. LAWS P. 4469, ET SEQ.

11-O-0673 (6) An **Amended** Ordinance and Charter Amendment by Councilmembers Howard and Ivory Lee Young, Jr. to amend the Charter of the City of Atlanta, Georgia 1996 Ga. Laws P. 4469, et seq., adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1 et seq., as amended, by amending Part 1 (Charter and Related Laws), Subpart A (Charter), Article III (Executive), Chapter 5 (Civil Service System), Section 3-507 (Modification of Pension Plans), so as to modify language that improperly delegates Legislative Authority; and for other purposes. **(Finance/Executive Committee Amendment on page #3, paragraph #2 states that the notice will be given to the Boards and they will have 45 days to provide comments before the legislation will move forward, 4/27/11)**

FAVORABLE ON 1st READING

Chairperson Adrean stated that this requires three Reads and it has to be advertised. Mr. Aman responded that a number of years ago the Pension plans were set up with Pension Boards and they would provide any information to Council. A few years back the Pension Boards sued for separation. When it was separated the Charter was not amended. Pension Boards can make decisions that cost the City money. This Amendment clarifies that City Council makes the decisions. This removes the requirement for Pension Board changes.

Mr. Peter Andrews: Deputy City Attorney addressed the Committee by stating that there is an argument that the Pension Board can stop legislation from passing. Our opinion is that you don't need their recommendation to make a change. Councilmember Shook stated that this paper specifies in the Charter the way we interpret the law. Deputy City Attorney Andrews responded that changes were made and we wanted it without recommendations from the Pension Board. Councilmember Shook stated that we need to Hold it. All it does is clarifies the gray area. He is interested in Council not giving up the authority we have. Councilmember Martin stated that this Council has asked to seek legal expertise advice. We need to procure those people and seek their advice. We need to be respectful of the intent of this legislation. Deputy City Attorney Andrews responded that passing it today keeps it on schedule. This is not addressing the Pension changes. There are ongoing litigations from 2001 and 2005. Councilmember Martin stated that you are seizing the opportunity. This does not create an urgency in my mind. Why wasn't this on the Agenda months ago? Deputy City Attorney Andrews responded that this was a non-issue before the litigation. Because it came up again, we decided to make the changes. We understand to make changes takes time. Councilmember Moore stated that these Pension changes brought about the light of this provision. The Pension recommendation was weak. They could take forever to bring back a recommendation. She agrees that there should be clarity and we should get back information so we can proceed. She is not comfortable with not allowing us to have adequate time to make a recommendation. It does not stop the Council from taking final action. Her suggestion is coming up with a timeframe. If they do not respond in 45 days, Council should not wait any longer. She does not agree with a notice agreement. We need to give respect to the Boards. The Administration knows her suggestion and did not make an attempt to change it. Deputy City Attorney responded that they could come up with some language. Councilmember Shook stated that he is fine with that. His intent is not to prevent the Board from acting on it. Deputy City Attorney responded that it is not a change to the Pension plans. Councilmember Martin stated that a new set of modifications of the Pension Plans has been submitted. Deputy City Attorney Andrews responded that they would have a chance to voice their opinion. This is a procedure for future plans. Chairperson Adrean asked that language be drafted.

Continuing, Chairperson Adrean stated that we have an Amendment. Deputy City Attorney Andrews responded that page #3, paragraph #2 states that the notice will be given to the Boards and they will have 45 days to provide comments before the legislation will move forward. Then the body can move forward without further action. The Paper is **Favorable on 1st Reading as Amended.**

TO AMEND THE AMORTIZATION SCHEDULES

11-O-0674 (7) An Ordinance by Councilmember Howard Shook to amend the Amortization Schedules of the General Employees, Police Officers, and Firefighters Pension Plans from a thirty year Open Amortization Period to a thirty year Closed Amortization Period; and for other purposes.

FAVORABLE

Councilmember Martin offered a motion to Hold. Chairperson Adrean stated that she understood that people was comfortable with closing the amortization. We owe the employees \$1.5 billion dollars. She is puzzled about it. Councilmember Martin stated that there were discussions with former CFO Jim Glass. Chairperson Adrean stated that when she talked with him and he recommended leaving it opened. Back then, there was a Reserve of \$7 million dollars. Closing an amortization is a prudent financial state. She is in favor of it. Councilmember Martin stated that he takes the same position. All of this is part of the Pension plan change. It is fair that everybody being affected have the opportunity to look at these papers. He then asked about the processes. What will take place? Will this paper alone close the amortization? Chairperson Adrean responded yes, this is the only paper speaking to it. She was looking for common ground and a common agreement. Councilmember Martin stated that there is common ground for closing it. We should listen to the employees. It has created a sense of fear. Councilmember Moore stated that it has been stated that it was not the optimum thing for us to do. This paper could be separate from the other pension papers. Holding it will not kill us. Is it something we wanted to do in conjunction with the Budget? What makes sense? CFO De Foor responded, Holding it, she does not see an impact. It should be done to plug into the Five-Year Plan. This is very prudent. Councilmember Moore stated that she can wait two weeks if there is not a major change. CFO De Foor responded that she does not see one, but she will get back to the Committee. Councilmember Shook asked if Council is interested in obtaining additional information. We have known that this day was coming. What will Holding this for two weeks accomplish? We need to close it to start paying it down. Councilmember Martin asked if it will affect the Budget. CFO De Foor responded that it will not impact the Budget. Chairperson Adrean stated that we need to signal to the employees that we owe \$1.5 billion dollars and we need to start paying it. Councilmember Wan stated that he is ready to move on this. Is there a deadline to make sure it is done by the 13th cycle? CFO De Foor responded that she is unsure of it. Councilmember Willis offered a motion to **Approve, 5 Yeas, 1 Nay.**

TO WAIVE THE REQUIREMENTS OF SECTION 114-101(B) AND 14-101 (C)

11-O-0675 (8) An Ordinance by Councilmembers Howard Shook and Yolanda Adrean to waive the requirements of Section 114-101(b) and 14-101(c) to allow for submission of the Personnel Paper and supporting documentation to the Council no later than the first meeting in June; and for other purposes.

FILE

Councilmember Moore offered a motion to File because this is not necessary. Chairperson Adrean asked if the Personnel Paper reconciles with the Budget. CFO De Foor responded that the Personnel Paper reflect changes and personnel actions and does not tie to the Budget. Councilmember Moore stated that if there was a RIF it would be stated in the Paper and does not have to be reflected. That concern was

listing the positions and that is not the case. The Personnel Paper reflects the changes and corresponds with the Budget. We want to know about the Personnel changes. Chairperson Adrean stated a RIF would not be in the Personnel Paper. Mr. Aman responded that when there is a RIF, it could look like we have more positions on paper. It became a practice to remove the paper. Councilmember Moore stated if a RIF occurred and after people were let go we could come back and clean it up. It can take place after the RIF. She is concerned because the Administration always upholds their responsibility with RIFs. She doesn't want to be put in a position that is not ours.

Ms. Sherri Dickerson: Commissioner of the Department of Human Resources addressed the Committee by stating that if we did do RIFS we would come back afterward with a Substituted Personnel Paper, but it was always in conjunction with the Budget. Councilmember Moore stated that the document always went with the Budget. It does not have to be in that paper. Once we get the Budget and there may be some changes that affect the particular list. It can be handled in a separate paper. It is typical to have Substitutes up until the Budget. Councilmember Shook stated that he was motivated by the Administration's intentions. What are they? Mr. Aman responded that the Administration is fine to have the paper Filed or deleted. Our main concern was the people on the RIF list. We have some coming, but you can't tell who it is. Councilmember Martin asked what is the final? Councilmember Moore offered a motion to **File, 6 Yeas.**

TO AMEND THE 2011 GENERAL FUND BUDGET

11-O-0679 (9) An Ordinance by Councilmembers Ivory Lee Young, Jr. and Michael Julian Bond **as Substituted by Finance/Executive Committee (1), 4/27/11** amending the 2011 General Fund Budget by transferring Funds from Council District 3 and Post 1 At-Large Accounts to the Department of Planning and Community Development Account for the purpose of Funding the costs associated with the nomination, designation, and post-designation process for the proposed Sunset Avenue Historic District; and for other purposes. **(Finance/Executive Committee Substitute corrects the FDOA numbers, 4/27/11)**

FAVORABLE ON SUBSTITUTE

Chairperson Adrean stated that we have a Substitute to correct the FDOA numbers. Councilmember Shook offered a motion to **Approve on Substitute, 6 Yeas.**

TO ENTER INTO A CONTRACTUAL AGREEMENT WITH KPMG LLP, FOR FC-5065

11-R-0376 (1) A **Substitute** Resolution by Finance/Executive Committee authorizing the City of Atlanta Internal Auditor to enter into a Contractual Agreement with KPMG LLP, for FC-5065, City of Atlanta Financial Statement Audit, in an amount not to exceed one million two hundred sixty thousand dollars (\$1,260,000.00); all contracted work shall be charged to and paid from Fund, Department, Organization and Account: 1001 (General Fund) 200101 (NDP Reservation of Funds) 5212001 (Consulting/Professional Services) 1512000 (Accounting) \$420,000; 5051 (Water and Wastewater Revenue Fund) 290101 (Audit Administration) 5212001 (Consulting/Professional Services) 1512000 (Account) \$420,000; 5501 (Aviation Revenue Fund) 290101 (Audit Administration) 5212001 (Consulting/Professional Services 1512000 (Account); and for other purposes. **(Held, 3/16/11); (Favorable, 3/30/11); (Referred back by Full Council, 4/18/11); (Held, 4/27/11)**

HELD

Councilmember Shook asked what is the game plan?

Ms. Katrina Taylor-Parks: Mayor's Office Deputy Chief of Staff addressed the Committee by stating that we want to look at this more closely as a result of the questions asked at the previous Finance/Executive Committee meeting. Councilmember Moore asked why, is it because the Administration has known the questions regarding this for weeks? All she kept hearing was that we need to move forward with the audits. Ms. Taylor-Parks responded that 99% of the questions have been answered, but not completely. We got a new set of questions on yesterday. Councilmember Moore stated that at some point we need to make a decision. It is being dragged out too long. There was an opportunity to rebid it and keep moving. If we keep Holding it, the only other option is to extend the current contract. Why can't you answer the questions between now and Monday? Ms. Taylor-Parks responded that we are aware of the time constraints. Two weeks would not prevent the timeline. Councilmember Moore stated that she did not hear that in the Briefing. CFO De Foor added that we do have to act quickly because we have 30 to 35 days before the audit begins. Councilmember Moore stated that if Council doesn't make a decision, then how do we proceed? She will give the answers via e-mail. Councilmember Martin offered a motion to **Hold, 5 Yeas, 2 Nays**.

TO ENTER INTO A MEMORANDUM OF UNDERSTANDING

11-R-0644 (2) A Resolution by Finance/Executive Committee authorizing the Division of Sustainability and the Department of Aviation to enter into a Memorandum of Understanding for the purpose of memorializing an Agreement for the Division of Sustainability to Loan Funds to the Department of Aviation to Finance the Acquisition and installation of the Energy Efficient Lighting Project with a Project Administration rate of one percent (1%), in an amount not to exceed one million eight hundred thousand dollars (\$1,800,000.00); to be charged to and paid from Fund 2501 (Intergovernmental Fund) 040301 (Exe. COO) 5413002 (Building Improvements) 1320000 (Chief Executive) 04210643 (EECB) 250131886 (EECB); and for other purposes.

HELD

Chairperson Adrean stated that this item has some issues. She wanted to hear from the Law Department and the Federal Government regarding lending money to Aviation. Deputy City Attorney Andrews responded that these are grant funds that are not general fund money. General Funds can be used at the Airport, but the General Fund cannot use Airport money. Councilmember Moore asked if this is something Aviation could apply for themselves. Deputy City Attorney Andrews responded that these funds are for throughout the City. As long as it is for the purposes of the grant, they can use them. Chairperson Adrean stated that there is documentation required when spending federal dollars. According to the audit we don't do a good job of spending federal money.

Mr. Louis Miller: of the Department of Aviation addressed the Committee by stating that this saves us around \$400,000 in electrical costs.

Mr. David Bennett: Mayor's Office Senior Policy Advisor addressed the Committee by stating that yes all of the things are being followed. There is paperwork to be worked out. It is a beneficial program. Councilmember Moore asked for the total amount. Mr. Bennett responded \$5 or \$6 million dollars. There is a schedule and guidelines to meet. This was first because it is the biggest project. Councilmember Moore asked for a copy of the schedule. Councilmember Willis asked if the Airport will repay the funds. Mr. Miller responded, yes. Councilmember Willis asked if the Airport is paying a portion of the grant to the Office of Sustainability. He understands that they do a reimbursement to the Administration. Have they included Sustainability? Mr. Bennett responded that he would provide the information. Councilmember Willis stated that there is the

potential to go after grants, but we need to know about the reimbursement. Councilmember Martin offered a motion to Hold.

TO EXECUTE A CONTRACT WITH TURNKEY SOLUTIONS FOR FC-5207

11-R-0645 (3) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to execute a contract with Turnkey Solutions for FC-5207, City of Atlanta 311 Call Center Evaluation for three (3) months beginning June 1, 2011 on behalf of the Department of Information Technology, in an amount not to exceed two hundred fifty-one thousand, four hundred seventy dollars and no cents (\$251,470.00); all contracted work to be charged to and paid from Fund, Department Organization and Account Number 1001 (General Fund) 050101 (IT CIO) 5410001 (Consulting/Professional Services-Capital Projects) 1535000 (Data Processing/Management Information System); and for other purposes.

FAVORABLE

Chairperson Adrean stated that the Department asked that this paper be Held.

TO EXECUTE RENEWAL NUMBER ONE (1) OF THE ACCELA APPLICATION MAINTENANCE AND SUPPORT AGREEMENT

11-R-0646 (4) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to execute Renewal Number One (1) of the ACCELA Application Maintenance and Support Agreement on behalf of the City of Atlanta Department of Information Technology, in an amount not to exceed one hundred eighty thousand, six hundred forty-seven dollars and twenty-eight cents (\$180,647.28) beginning May 1, 2011 through April 30, 2012; all contracted work shall be charged to and paid from 1001 (General Fund) 050202 (IT Applications) 5213001 (Consulting Professional Services) 1535000 (Data Processing/Management Information System); and for other purposes.

FAVORABLE

Mr. Michael Dogan: Interim Information Technology Chief addressed the Committee by stating that this is for the support services for Accela. Councilmember Moore asked if it is working. Mr. Dogan responded, yes. The application does many things. Often there is a period of stabilization. There could have been a better job done though. We have many aspects of the system. We have one more application to stabilize. Councilmember Shook stated that there were questions on the procurement side of the software. Mr. Dogan responded that he is not sure. We will get our money's worth out of it. Councilmember Shook asked if it is used in the Bureau of Buildings. Mr. Dogan responded yes, there have been many questions that were negative. Councilmember Shook asked if there is a training issue. Mr. Dogan responded that it is wrapped around the City's processes. The system is capable of doing those things, but we have to put the configurations in place. We are trying to get the training in place as well. We are making sure that the processes are tight to have a world class product. We believe in the next couple of months there will be better results. Chairperson Adrean asked if the vendor is supporting us properly. Mr. Dogan responded that things could have been done properly. We now have an individual in place and we are getting better results. Councilmember Martin offered a motion to **Approve, 6 Yeas.**

TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

11-R-0647 (5) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into a Cooperative Purchasing

Agreement pursuant to Section 2-1602 of the City of Atlanta Code of Ordinances, utilizing the Georgia Services Administration Contract #GS-00P-05-BSD-0362 with the Atlanta Gas Light Company for Natural Gas and Energy Management Services on behalf of the Division of Sustainability in an amount not to exceed seven million, nine hundred thousand dollars and zero cents (\$7,900,000.00); all contracted work shall be charged to and paid from Fund 1001 (General Fund), Department 040302 (Exe. Facilities Maintenance), Account 5312201 (UTIL, Natural Gas), Func. Act. 1565000 (Gen. Gov – Bldgs/Plants); and for other purposes.

HELD

Mr. Bennett asked that this paper be Held for Account numbers.

TO ISSUE A TASK ORDER TO BROWN AND CALDWELL/DELON HAMPTON AND ASSOCIATES

- 11-R-0648 (6) A Resolution by Finance/Executive Committee authorizing the Mayor to issue a Task Order to Brown and Caldwell/Delon Hampton and Associates, Chartered, a Joint Venture for FC-4906D-Architectural Engineering and Design for the Construction and Renovation of the Atlanta Police Department Crime Lab, in an amount not to exceed two hundred twenty thousand seven hundred sixty-eight dollars and zero cents (\$220,768.00); all work shall be charged to and paid from 7701 (Trust Fund), Department Org 240101 (APD Chief of Police), Account 5413002 (Building Improvements), Function Activity 1320000 (Chief Executive), Project Award 600231 (Federal – RICO), Funding Source 69999 (Non-Capital); and for other purposes.

HELD

Councilmember Martin offered a motion to Hold. He then stated the Crime Lab needs to get up and running as soon as possible. Chairperson Adrean agreed.

TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

- 11-R-0649 (7) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances, utilizing the State of California's Fast Open Contracts Utilization Services Contract Number 2009177 for the purchase of AT&T Managed Services for one (1) year beginning June 1, 2011 from AT&T Communication Systems Southeast for the City's Cisco Hardware in an amount not to exceed one hundred five thousand, four hundred seventy-eight dollars and thirty cents (\$105,478.30) and for the purchase of Cisco Intrusion Protection Services for one (1) year beginning June 1, 2011 from AT&T in an amount not to exceed twenty-six thousand, six hundred seventeen dollars and sixteen cents (\$26,617.16) for a combined total of one hundred thirty-two thousand, ninety-five dollars and forty-six cents (\$132,095.46) on behalf of the Department of Information Technology; all contracted work shall be charged to and paid from Fund, Department Organization and Account Number 1001 (General Fund) 050212 (DIT Server Management) 5213001 (Consulting/Professional Services-Technical) 1535000 (Data Processing/Management Information System); and for other purposes.

FAVORABLE

Councilmember Martin offered a motion to **Approve, 6 Yeas**. Mr. Dogan stated that this is in support of our network and equipment. Councilmember Wan stated that this sounds like firewall protection. Mr. Dogan responded that is a small portion of it. AT&T gave us a better offer. Councilmember Watson asked why go to California for the master agreement? Mr. Dogan responded that this is making sure that we have done our homework. AT&T brought it to us and they had better pricing. Councilmember Watson stated that the vendor brought it to us for a better rate structure. Mr. Dogan responded no, we saw that AT&T had those services. Councilmember Watson asked if we would see any at the State level. Mr. Dogan responded that is a possibility, but we don't do this as a general practice.

TO AUTHORIZE A COOPERATIVE PURCHASING AGREEMENT

11-R-0650 (8) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to authorize a Cooperative Purchasing Agreement utilizing Georgia Technology Authority Contract Number 9800-SS001 with Gartner, Inc. for Research and Consultant Services for one (1) year beginning May 1, 2011 and ending on April 30, 2012 on behalf of the Department of Information Technology in an amount not to exceed eighty thousand, three hundred dollars and no cents (\$80,300.00). All contracted work shall be charged to and paid from Fund, Department Organization and Account Number 1001 (General Fund) 050102 (IT Administration) 5212001 (Consulting/Professional Services) 1535000 (Data Processing/Management Information System); and for other purposes.

FAVORABLE

Councilmember Martin offered a motion to **Approve, 6 Yeas**. Mr. Dogan stated that this is a service we use quite often. It is a Research Firm in the IT space. They provide us with the best of the best. Councilmember Wan asked for some examples of savings we got by using them. Mr. Dogan responded that a month ago we got Smart 911. We took their proposal and had discussions. It was a product that was \$150,000 and we got it for \$89,000. Councilmember Moore stated that the purpose was to make sure that it was competitively bided as well as the price. Mr. Dogan responded that we have the letter to make sure it is competitive.

TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

11-R-0651 (9) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et. seq. of Article X of the City of Atlanta Code of Ordinances, utilizing Western States Contracting Alliance/National Association of State Procurement Officials Contract Number B27160 with Dell Marketing, L.P., for various items of General Purpose Commercial Information Technology Equipment, Software, and Services for one (1) year on behalf of the Department of Information Technology in an amount not to exceed one hundred thousand dollars and no cents (\$100,000.00) under a Blanket Purchase Order; all contracted work shall be charged to and paid from Fund, Department Organization and Account Numbers set forth below.

HELD

Chairperson Adrean asked if this is an open check book.

Mr. Dogan responded that these are products that we purchased from Dell. We wanted to follow the Procurement Code letter. There are times we will go over the \$20,000 in FDPOs. If we spent \$20,000 we could not go over one dime. This Blanket Order lets us go over \$20,000. Councilmember Wan stated that it sounds like an open check.

Mr. Dave Chapman: Deputy Chief Procurement Officer addressed the Committee by stating that this is similar to a Cooperative Agreement. It is an effort to put in place supply contracts. One way to do that is to use competitive cooperatives. We went to the Departments and asked for their needs. We told them to give us an estimate based on past experiences. We took the information and came up with a not to exceed amount. It is a method to make sure that the City is not taking advantage of the FDPO exceeding amount of \$20,000. Councilmember Wan asked what safeguards are in there for discretionary purchases. Mr. Chapman responded that if we didn't have this in place there would not be a procedure to check the log. The FDPO process was validated for over \$1 million dollars. Chairperson Adrean stated that she is not comfortable with it. Papers 11-25 are Cooperative Purchasing Agreements and added up to over \$10 million dollars. We are not there yet with the controls. She does not see this as an appropriate tool. CFO De Foor responded that it is an important first step. One method is the budget approval process. This is not a visibility that you had before. Her Department will work with Procurement. We have to look for efficiencies. We can hold Managers responsible. Chairperson Adrean stated that she does not agree with the logic. We won't see the items over \$20,000 anymore. It seems that we would see less. CFO De Foor responded that we would see additional controls. Councilmember Moore offered a motion to Hold this paper as well as 11-19 because the numbers appropriated are not in the legislation. CFO De Foor responded that she will provide the information. Councilmember Moore asked if it is in this year's budget or next year's budget. CFO De Foor responded that we have not done next year's budget yet. We are doing it at the Office level. Councilmember Moore stated that the paper needs to reflect that. Mr. Dogan responded that these papers are more operational over a period of twelve months. In some cases, we wanted to buy one additional computer, etc. Councilmember Moore asked if this is money from this year's budget. Mr. Dogan responded that the paper for \$100,000 was for a twelve month period. Councilmember Martin stated that he thought the process was for Departments to look at its budgets and make the decision while the Department of Finance verifies it. Is that the process or do we need to add another phase? CFO De Foor responded that is what she wants to find out first. Councilmember Martin stated that it has all of the signatures. Are we Holding all of them? Chairperson Adrean responded yes, except #10. Councilmember Martin stated that something has triggered this to make us Hold all of these papers. The papers went through the Finance Department and the Finance/Executive Briefing. Chairperson Adrean stated that she is not satisfied with this arrangement. She wants to Hold them and get further education. We will Hold #9-#25 except for #10.

TO APPLY FOR AND RECEIVE GRANT FUNDS IN THE AMOUNT O \$964,300.00

11-R-0652 (10)

A **Substituted** Resolution by Finance/Executive Committee authorizing the City of Atlanta Department of Watershed Management to apply for and receive Grant Funds in the amount of \$964,300.00 for the Environmental Protection Agency ("EPA") Assistance Program (CFDA – Catalog of Federal Domestic Assistance); and for other purposes. **(Finance/ Executive Committee Substitute is located in the Resolve Clause for appropriations, 4/27/11)**

FAVORABLE ON SUBSTITUTE

Councilmember Martin offered a motion to **Approve on Substitute, 4 Yeas**. Mr. Chapman responded that the Resolve Clause in the Substitute speaks to the appropriation.

TO ENTER INTO A CITYWIDE COOPERATIVE PURCHASING AGREE-MENT

- 11-R-0653 (11) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into a Citywide Cooperative Purchasing Agreement Number COA-0010 pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances, utilizing National IPA #073103-01 with Panasonic Solutions Company for Toughbooks, Tablets, Accessories, and Services for two (2) years with three (3) one-year renewal options on behalf of the City of Atlanta in an amount not to exceed three hundred thousand dollars and no cents (\$300,000.00); all contracted work shall be charged to and paid from previously appropriated Fund, Department Organization and Account Numbers: (Various Accounts).

HELD AND SUBSTITUTED

Mr. Chapman stated that the Cooperative Agreement is for the Departments not to misuse the FDPO. It will allow better tracking of their funding. We have asked for the path spending over the next twelve months. Councilmember Martin asked if these are on a timeline. Mr. Chapman responded that we would have to confer with the Departments.

TO ENTER INTO A CITYWIDE COOPERATIVE PURCHASING AGREEMENT

- 11-R-0654 (12) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into a Citywide Cooperative Purchasing Agreement Number COA-0014 pursuant to Section 2-1601 et. seq. to the City of Atlanta Code of Ordinances, utilizing Federal GSA Contract #GS-35F-0429P with Barcodes, LLC for IT Equipment and Services for two (2) years with three (3) one-year renewal options on behalf of the City of Atlanta in an amount not to exceed one million dollars and no cents (\$1,000,000.00); all contracted work shall be charged to and paid from previously appropriated Fund, Department Organization and Account Numbers: (Various Accounts).

HELD AND SUBSTITUTED

TO ENTER INTO CITYWIDE A COOPERATIVE PURCHASING AGREE-MENT

- 11-R-0655 (13) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into Citywide a Cooperative Purchasing Agreement Number COA-0008 pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances, utilizing U.S. Communities Contract #RQ09-99736-42B with Insight Public Sector, Inc. for Technology Products/ Equipment and Technology Services/Solutions for two (2) years with three (3) one-year renewal options on behalf of the City of Atlanta in an amount not to exceed two million five hundred thousand dollars and no cents (\$2,500,000.00); all contracted work shall be charged to and paid from previously appropriated Fund, Department Organization and Account Numbers: (Various Accounts).

HELD AND SUBSTITUTED

TO ENTER INTO A CITYWIDE COOPERATIVE PURCHASING AGREE-MENT

- 11-R-0656 (14) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into a Citywide Cooperative

Purchasing Agreement Number COA-0002 pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances, utilizing National IPA Contract #083052-01 with CDW-G for software, software licensing, maintenance, hardware, peripherals, and services for two (2) years with three (3) one-year renewal options on behalf of the City of Atlanta in an amount not to exceed four hundred thousand dollars and no cents (\$400,000.00); all contracted work shall be charged to and paid from previously appropriated Fund, Department Organization and Account Number: (Various Accounts).

HELD AND SUBSTITUTED

TO ENTER INTO A CITYWIDE COOPERATIVE PURCHASING AGREE-MENT

- 11-R-0657 (15) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into a Citywide Cooperative Purchasing Agreement Number COA-0015 pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances, utilizing State of Georgia Contract #SWC764 with Dell Marketing, LP for Computer IT Software for two (2) years with three (3) one-year renewal options on behalf of the City of Atlanta in an amount not to exceed six hundred thousand dollars and no cents (\$600,000.00); all contracted work shall be charged to and paid from previously appropriated Fund, Department Organization and Account Numbers: (Various Accounts).

HELD AND SUBSTITUTED

TO ENTER INTO A CITYWIDE COOPERATIVE PURCHASING AGREE-MENT

- 11-R-0658 (16) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into a Citywide Cooperative Purchasing Agreement Number COA-0011 pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances, utilizing National IPA Contract #P10-004 with National Office Furniture, Inc. for office furniture for two (2) years with three (3) one-year renewal options on behalf of the City of Atlanta in an amount not to exceed four hundred thousand dollars and no cents (\$400,000.00); all contracted work shall be charged to and paid from previously appropriated Fund, Department Organization and Account Numbers: (Various Accounts).

HELD AND SUBSTITUTED

TO ENTER INTO A CITYWIDE COOPERATIVE PURCHASING AGREE-MENT

- 11-R-0659 (17) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into a Citywide Cooperative Purchasing Agreement Number COA-0016 pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances, utilizing State of Georgia Contract #SWC60748 with various Vendors for Office Furniture for two (2) years with three (3) one-year renewal options on behalf of the City of Atlanta in an amount not to exceed six hundred thousand dollars and no cents (\$600,000.00); all contracted work shall be charged to and paid from previously appropriated Fund, Department Organization and Account Numbers: (Various Accounts).

HELD AND SUBSTITUTED

TO ENTER INTO A CITYWIDE COOPERATIVE PURCHASING AGREE-MENT

- 11-R-0660 (18) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into a Citywide Cooperative Purchasing Agreement Number COA-0004 pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances, utilizing National IPA Contract #618-000-11-1 with Office Depot for Office Supplies for two (2) years with three (3) one-year renewal options on behalf of the City of Atlanta in an amount not to exceed eight hundred thousand dollars and no cents (\$800,000.00); all contracted work shall be charged to and paid from previously appropriated Fund, Department Organization and Account Number: (Various Accounts).

HELD AND SUBSTITUTED

TO ENTER INTO CITYWIDE A COOPERATIVE PURCHASING AGREE-MENT

- 11-R-0661 (19) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into Citywide a Cooperative Purchasing Agreement Number COA-0006 pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances, utilizing U.S. Communities Contract #05091 with Home Depot for building materials, maintenance repair, and operational supplies for two (2) years with three (3) one-year renewal options on behalf of the City of Atlanta in an amount not to exceed five hundred thousand dollars and no cents (\$500,000.00); all contracted work shall be charged to and paid from previously appropriated Fund, Department Organization and Account Numbers: (Various Accounts).

HELD AND SUBSTITUTED

TO ENTER INTO A CITYWIDE COOPERATIVE PURCHASING AGREE-MENT

- 11-R-0662 (20) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into a Citywide Cooperative Purchasing Agreement Number COA-0012 pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances, utilizing National IPA #083004 with the Toro Company for Parks and Grounds Maintenance Equipment for two (2) years with three (3) one-year renewal options on behalf of the City of Atlanta in an amount not to exceed one hundred fifty thousand dollars and no cents (\$150,000.00); all contracted work shall be charged to and paid from previously appropriated Fund, Department Organization and Account Numbers: (Various Accounts).

HELD AND SUBSTITUTED

TO ENTER INTO A CITYWIDE COOPERATIVE PURCHASING AGREE-MENT

- 11-R-0663 (21) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into a Citywide Cooperative Purchasing Agreement Number COA-0001 pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances, utilizing U.S. Communities Contract #2007-118-3034 with Zep Manufacturing Company for Janitorial Supplies for two (2) years with three (3) one-year renewal options on behalf of the City of Atlanta in an amount not to exceed seven hundred thousand dollars and no cents (\$700,000.00); all contracted work shall be charged to and paid from previously appropriated Fund,

Department Organization and Account Numbers: (Various Accounts).

HELD AND SUBSTITUTED

TO ENTER INTO CITYWIDE A COOPERATIVE PURCHASING AGREE-MENT

- 11-R-0664 (22) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into Citywide a Cooperative Purchasing Agreement Number COA-0009 pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances, utilizing U.S. Communities Contract #MA-IS-1140130-1 with Graybar Electric Company for Electrical Products, Equipment & Supplies for two (2) years with three (3) one-year renewal options on behalf of the City of Atlanta in an amount not to exceed two hundred thousand dollars and no cents (\$200,000.00); all contracted work shall be charged to and paid from previously appropriated Fund, Department Organization and Account Numbers: (Various Accounts).

HELD AND SUBSTITUTED

TO ENTER INTO A CITYWIDE COOPERATIVE PURCHASING AGREE-MENT

- 11-R-0665 (23) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into a Citywide Cooperative Purchasing Agreement Number COA-0005 pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances, utilizing National IPA Contract #090188 with Grainger for maintenance, repair, and operation supplies (MRO) for two (2) years with three (3) one-year renewal options on behalf of the City of Atlanta in an amount not to exceed six hundred thousand dollars and no cents (\$600,000.00); all contracted work shall be charged to and paid from previously appropriated Fund, Department Organization and Account Number: (Various Accounts).

HELD AND SUBSTITUTED

TO ENTER INTO CITYWIDE A COOPERATIVE PURCHASING AGREE-MENT

- 11-R-0666 (24) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into Citywide a Cooperative Purchasing Agreement Number COA-0007 pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances, utilizing U.S. Communities Contract #05091 with HD Supply Facilities Maintenance, Ltd. for maintenance, repair, and operational supplies for two (2) years with three (3) one-year renewal options on behalf of the City of Atlanta in an amount not to exceed seven hundred thousand dollars and no cents (\$700,00.00); all contracted work shall be charged to and paid from previously appropriated Fund, Department Organization and Account Numbers: (Various Accounts).

HELD AND SUBSTITUTED

TO ENTER INTO A CITYWIDE COOPERATIVE PURCHASING AGREE-MENT

- 11-R-0667 (25) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into a Citywide Cooperative Purchasing Agreement Number COA-0017 pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances utilizing

WSCA/NASPO Contract #'S 5-09-99-28, 5-09-99-29, 5-09-99-30, & 5-09-99-31 with Autozone, Boras, NAPA Auto Parts, & O'Reilly Auto Parts for light duty auto parts for two (2) years with three (3) one-year renewal options on behalf of the City of Atlanta in an amount not to exceed four hundred thousand dollars and no cents (\$400,000.00); all contracted work shall be charged to and paid from previously appropriated Fund, Department Organization and Account Numbers: (Various Accounts).

HELD AND SUBSTITUTED

Councilmember Martin asked if this paper could be moved because these are parts that are going to be used. Chairperson Adrean stated that it locks us in for two years with these vendors. Mr. Chapman responded that this is for Motor Transport. They have a supply bid in place, but this is a more cost effective way of getting their parts. Ms. Taylor-Parks added that if you go over \$20,000 this would delay the process. It is not a duplication of funds. This could be a grave service for service delivery impacts. Chairperson Adrean stated that she believes that there is another way. Mr. Chapman responded that after two years we can continue for a better price. This gives us an option after two years. Ms. Taylor-Parks responded that Fleet Services has experienced delays with parts being delivered. The current vendors according to the Code do not have to deliver parts. Councilmember Watson asked what is the outcome with that problem? Ms. Taylor-Parks responded that you could do a Blanket P.O. and get the parts at the same place. Chairperson Adrean asked for the approval process. Mr. Chapman responded that the money has to be appropriated first. They would have to enter a requisition before it comes to Procurement. Chairperson Adrean asked if the same thing could happen without this process. Councilmember Martin offered a motion to pull this paper out. Councilmember Wan stated that he does not see the urgency. Ms. Taylor-Parks responded that the urgency is the situation with the current vendor. Councilmember Shook stated that two terms ago there was an effort made to update the Procurement Code. He voted for it to make the process easier. Councilmember Martin offered a motion to **Approve, 2 Yeas, 4 Nays, 1 Abstention. Hold and Substituted, 7 Yeas.**

TO EXPRESS THE COUNCIL'S NON-SUPPORT OF SENATE BILL 79

11-R-0677 (26) A Resolution by Councilmembers C.T. Martin, Felicia A. Moore, Joyce M. Sheperd, Michael Julian Bond and Ivory Lee Young, Jr. expressing the Council's non-support of Senate Bill 79 which would give the Governor the Authority to remove an appoint members of the Atlanta Public School Nine Member Board; and for other purposes.

FAVORABLE

Chairperson Adrean stated that there is a Substitute. Councilmember Shook stated that he has misgivings about a hostile government takeover. A majority of his constituents are upset about what is happening with what is in this Bill. He will be voting no. Councilmember Watson stated that this is a delicate issue. He has seen no reason why the Governor has any interest or ill will with who is on our local School Board. It is a reaction to a cheating scandal. He is reluctant to advocate because he has been on the School Board. Chairperson Adrean stated that she is conflicted about this. Having our public school lose their accreditation is a terrible thing. She is disturbed that the blame is with the School Board. It bothers her that they are being singled out. There is the cheating scandal and the graduation rates, etc. The public elected these members. The Boardmembers were told when their administration decided to tell them. Councilmember Moore stated that she wanted to thank Councilmember Martin for putting in this legislation. She thinks that the Council should express some kind of opinion on this. She struggles with going to community meetings and the constituents asks why Council is messing with the School Board. She is happy that we are making some expression. She wants the Mayor and Governor to

know that we are not supporting it. Councilmember Martin offered a motion to **Approve, 6 Yeas, 1 Nay**. Councilmember Martin stated that he has tried to stay out of this. The quality of the SACS report is not standardized. Most of the Councilmembers in the 7 Council Districts don't have children. The real issue with the City is to understand what times we are in and stop the hate. It is regrettable that we are still coming out of these kinds of bags. We the people in southwest Atlanta have to carry rage and burden. He has not heard any discussions regarding the children. He thinks that a lot of people are out of order.

TO EXPRESS THE COUNCIL'S NON-SUPPORT OF HB 87

11-R-0685 (27) A Resolution by Councilmember C.T. Martin expressing the Council's non-support of HB 87 due to the potential loss in jobs and revenues to the State of Georgia; and for other purposes.

FAVORABLE

Councilmember Martin offered a motion to **Approve, 6 Yeas, 1 Nay**. This paper is about immigration. Councilmember Wan stated that this paper makes him nervous. He is concerned with people being pulled over by the Police for no reason. It creates an unwelcomed atmosphere. Chairperson Adrean stated that her family is from Puerto Rico and she remembers their stories. She hates picking on one category of people. She wishes the Resolution was about a path to citizenship. She wishes that they could contribute. Councilmember Moore stated that there are other consequences that happened in Arizona. National League of Cities has had Immigration Reform. What is happening is grave because the federal government is failing to deal with the issues. Municipalities are enacting all kinds of laws because the federal government is not dealing with it. Councilmember Shook stated that his previous comments apply to this issue.

TO AMEND ARTICLE VII DIVISION II OF CHAPTER II OF THE CODE OF ORDINANCES

10-O-0774 (1) An Ordinance by Councilmembers H. Lamar Willis and Alex Wan to amend Article VII Division II of Chapter II of the Code of Ordinances of the City of Atlanta so as to provide that it shall be unlawful for any City Officer or Employee to knowingly and willfully withhold information, make false or misleading statements or to give untrue testimony before any of its standing Committees; to provide that any Officer or Employee who is found to have violated this Provision shall be dismissed from the employ of the City; and for other purposes. **(Held, 4/28/10)**

HELD

TO AMEND CHAPTER 114, ARTICLE IV, DIVISION 12, SECTION 114-379 OF THE CITY OF ATLANTA CODE OF ORDINANCES

10-O-0874 (2) An Ordinance by Finance/Executive Committee amending Chapter 114, Article IV, Division 12, Section 114-379 of the City of Atlanta Code of Ordinances entitled "Layoff or Reduction In Force" so as to provide for the use of the Veterans Preference authorized by Section 114-207 during the calculation of retention points; and for other purposes. **(Held, 6/2/10)**

HELD

TO CREATE A PARKING PASS PROGRAM

10-O-1733 (3) An Ordinance by Councilmembers Michael Julian Bond, Joyce Sheperd, Aaron Watson, Keisha Lance Bottoms, H. L. Willis, Ivory

Lee Young, Jr., C.T. Martin, and Yolanda Adrean authorizing the Mayor or his designee to create a Parking Pass Program for all duly appointed members of City Boards and Commissions; and for other purposes. **(Held, 9/29/10)**

HELD

TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA. LAWS P. 4469 ET SEQ.

- 10-O-1739 (4) An Ordinance by Councilmember Natalyn Mosby Archibong to amend the Charter of the City of Atlanta, Georgia, 1996 Ga Laws P. 4469 et seq. adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1 et seq. as amended, by amending Part 1 (Charter and Related Laws), Subpart A, (Charter), Article III (Executive), Chapter 3 Entitled (City Departments), Section 3-305 of the City of Atlanta's Code of Ordinances by adding a new Sub-Paragraph (d); and for other purposes. **(2nd Reading, 1st Adoption, 9/29/10); (3rd Reading, Final Adoption, Substituted as Amended and Held, 10/13/10 by Committee for additional information)**

HELD

TO CONCERN THE FUTURE OF REGIONAL TRANSIT

- 10-R-1869 (5) A Resolution by Atlanta City Council of the City of Atlanta, Georgia concerning the future of Regional Transit under the 2010 Transportation Investment Act. **(Held, 10/27/10)**

HELD

TO TRANSFER \$143,443.70 FROM THE DISTRICT 9 COUNCIL-MEMBER

- 11-O-0103 (6) An Ordinance by Councilmember Felicia A. Moore to transfer one hundred forty three thousand four hundred forty three dollars and seventy cents (\$143,443.70) from the District 9 Councilmember Non-Department Expense Account Fund to the Department of Public Works to be used to construct sidewalks, driveways curbs and gutters for the Simms Avenue and Johnson Road Curbing Projects and the Bolton Road/Marietta Boulevard Intersection Project; and for other purposes. **(Held, 2/2/11)**

HELD

TO ENTER INTO AN AMENDMENT AGREEMENT NO. 1

- 11-O-0268 (7) An Ordinance by Finance/Executive Committee authorizing the Mayor to enter into an Amendment Agreement No. 1 for the constructed wetlands project cost share agreement located in McDaniel Branch with the United States Army Corps of Engineers ("USACE") to include an additional property located on Land Lot F0073 of the 14th (FF) District, Fulton County Georgia parcel Number 14F-0073-LL-074-9 of the 14th (FF) District, Fulton County Georgia, Parcel Number 14F-0073-LL-074-9; to authorize the Mayor to enter into an agreement with property owners and other appropriate documents for the acquisition of the properties to include in the constructed wetlands project cost share agreement located in McDaniel Branch; to waive portions of Article X of the procurement and real estate code; to authorize the city attorney to use the assistance of outside counsel to effectuate

the acquisition; to authorize the Chief Procurement Officer to obtain title work, surveys, environmental tests, appraisals and other appropriate due diligence items to effectuate the acquisition of the property; to charge and pay for acquisition costs from Fund Department Account and Organization number 5051 (Water & Wastewater Revenue Fund) 5212001 (Consulting/Professional Services) 170602 DWM Greenway Planning & Acquisition) 7410000 (Planning & Zoning) in an amount not to exceed one hundred thousand dollars and no cents (\$100,000.00); and for other purposes. **(Held, 3/16/11)**

HELD

TO AMEND THE FISCAL YEAR 2011 NORTHWEST ATLANTA (PERRY/BOLTON) FUND BUDGET

11-O-0269 (8) An Ordinance by Finance/Executive Committee to amend the Fiscal Year 2011 Northwest Atlanta (Perry/Bolton) Fund Budget by amending Ordinance 10-O-0901 to anticipate and appropriate Tax Allocation Increment in the amount of \$4,500,000.00 from the City of Atlanta Northwest Atlanta (Perry/Bolton) Tax Allocation District for the purpose of constructing and equipping a new Northwest Atlanta fire Station, a mini-police precinct, and a community assembly room ("Fire Station 28 Project"); and for other purposes. **(Held, 3/16/11)**

HELD

TO EXECUTE AMENDMENT NUMBER 7 WITH A-ACTION JANITORIAL SERVICES, INC.

11-R-0507 (9) A Resolution by Finance/Executive Committee authorizing the Mayor to execute Amendment Number 7 with A-Action Janitorial Services, Inc. for FC-7665-04A, Citywide Janitorial Services, on behalf of the Executive Offices, Office of Enterprise Assets Management to add the site and funding for the Atlanta Journal Constitution Building (AJC) in an amount not to exceed one hundred twenty thousand dollars (\$120,000.00) all contracted work is to be charged to and paid from Fund 5051 (Water and Wastewater Revenue Fund); Department 170100, Account 5222003, Function Activity 15120000; and for other purposes. **(Held on Substitute, 3/30/11)**

FAVORABLE

Mr. Bennett stated that we Held these so the money could catch up. There are four papers. Councilmember Watson offered a motion to **Approve, 5 Yeas, 1 Nay.**

TO EXECUTE AMENDMENT NUMBER 7 FOR FC-6005007878

11-R-0508 (10) A Resolution by Finance/Executive Committee authorizing the Mayor to execute Amendment Number 7 for FC-6005007878 Citywide Elevator Service, between the City of Atlanta and Thyssen Krupp Elevator Corporation, on behalf of the Executive Offices-Office of Enterprise Assets Management, to add the site and funding for the Atlanta Journal Constitution Building (AJC) in an amount not to exceed fifty-four thousand dollars (\$54,000.00). All contracted work shall be charged to and paid from Fund 051 (Water and Wastewater Revenue Fund), Department 170100, Account 5222003, Function Activity

1512000, and for other purposes. **(Held on Substitute, 3/30/11)**

FAVORABLE

Councilmember Watson offered a motion to **Approve, 5 Yeas, 1 Nay.**

TO ENTER INTO AMENDMENT NUMBER 8

11-R-0509 (11) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into Amendment Number 8 to add the site and funding for the Atlanta Journal Constitution Building (AJC) on behalf of the Executive Office-Office of Enterprise Assets Management with Dothan Security, Inc., (DSI) for FC-6005007888B, Citywide Security Guard Services on behalf of the Executive Offices-Office of Enterprise Assets Management, in an amount not to exceed one hundred fifty thousand dollars (\$150,000.00). All contracted work shall be charged to and paid from Fund 5051 (Water and Wastewater Revenue Fund), Department 170100, Account 5222003, Function Activity 1512000, and for other purposes. **(Held on Substitute, 3/30/11)**

HELD

TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

11-R-0510 (12) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances, utilizing Contract Number 081TB64114K-JD, between Fulton County and Prime Contractors on behalf of Executive Offices-Office of Enterprise Assets Management for Fast Track Repairs and Construction Task Orders for the Atlanta Journal Constitution Building (AJC), in an amount not to exceed two hundred thousand dollars (\$200,000.00), to be charged to and paid from Fund 5051 (Water and Wastewater Revenue Fund), Department 170100, Account 5222003, Function Activity 1512000; and for other purposes. **(Held on Substitute, 3/30/11)**

FAVORABLE

Councilmember Watson offered a motion to **Approve, 4 Yeas, 1 Nay.**

TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

11-R-0511 (13) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances, utilizing Contract Number 20108-01, between Atlanta Independent School System and Graebel Atlanta Movers, Inc., on behalf of Executive Offices-Office of Enterprise Assets Management and the Department of Watershed Management for Relocation Services for 72 Marietta Street (formerly the Atlanta Journal Constitution Building (AJC), in an amount not to exceed seven hundred fifty thousand dollars (\$750,000.00), to be charged to and paid from Fund 5051 (Water and Wastewater Revenue Fund), Department 1701000, Account 5222003, Function Activity 1512000; and for other purposes. **(Held on Substitute, 3/30/11)**

FAVORABLE

Councilmember Watson offered a motion to **Approve, 4 Yeas, 1 Nay.**

TO UTILIZE GEORGIA STATE CONTRACT SWC050755

11-R-0512 (14) A Resolution by Finance/Executive Committee authorizing the Chief Procurement Officer to utilize Georgia State Contract SWC050755 to purchase Purchasing Card Program Services from Bank of America to allow the Atlanta High Intensity Drug Trafficking Area Task-Force ("HIDTA") to make necessary purchases in support of their investigation of illegal drug activities, on behalf of the Department of Police ("Department"), in an amount not to exceed nine-hundred thousand dollars (\$900,000) per year. All costs shall be charged to and paid from Accounts associated with HIDTA Grant Awards approved by the City Council of Atlanta; and for other purposes. **(Held, 3/30/11); (Finance/Executive Committee Conditional Passage of receiving a copy of last year's audit, 4/27/11)**

FAVORABLE ON CONDITION

Deputy City Attorney Andrews stated that this was Held at the request of the Law Department. This process has been in place for awhile. The safeguards are in place and the vendors are on our approved list. A total of five people have the cards. CFO De Foor stated that she is satisfied with the controls. Councilmember Shook stated that he has concerns with the credit card controls. Deputy City Attorney Andrews responded that there are safeguards in place. They do not use them except for approved vendors only. Chairperson Adrean asked what do they buy. Deputy City Attorney Andrews responded that it is through the HIDTA Program. Councilmember Willis asked what measurements are in place. Deputy City Attorney Andrews responded that if there are issues we won't pay. Councilmember Willis stated that the issue is not the product, but the people. You can never have enough safeguards. What is the audit process to make sure that there are not extra unauthorized items? Deputy City Attorney Andrews responded that he is not sure of the audit process.

Major Williams: addressed the Committee by stating that there is a Director and Deputy Director that process them as well as Accounts Payable. Deputy City Attorney Andrews responded that there are annual audits. Councilmember Willis asked for a copy of last year's audit. CFO De Foor responded that one additional safeguard is for the Chief to sign off on the purchases. Councilmember Willis offered as a condition of passage, to receive a copy of last year's audit. He then offered a motion to **Approve on Condition, 4 Yeas, 1 Abstention.** Chairperson Adrean stated that she wants to hear from Ms. Leslie Ward.

ITEMS NOT ON AGENDA

Councilmember Moore stated that the Personnel Paper is supposed to be here. It is required to be with the Budget. Has the CFO given the Budget to the Councilmembers yet? Ms. Taylor-Parks responded that we are working with HR and the objective is to have it with the Budget. Councilmember Moore asked how much of the Budget will be delivered. Ms. Taylor-Parks responded that the Budget and Personnel Paper is due prior to midnight. It depends on the mode of delivery. Councilmember Moore asked how is it going to be accomplished, if not during working hours. CFO De Foor responded that we are working on the finalization and will deliver the hard copies on tomorrow. Ms. Taylor-Parks responded that the Personnel Paper will be with the Budget. If you do not receive a hard copy, it will be an electronic copy? Chairperson Adrean asked if the Committee has received the Budget schedule. On tomorrow we will have a Work Session regarding Pension Reform. She is struck about the amount of meetings we have. Are the members willing to stay late or meet on Friday?

Councilmember Moore stated that we need to attempt to do budget deliberations. The budget is a one year discussion and the pension is years and years beyond. We need the necessary time. When we made changes, we did not do it on a drop of a dime. When you do things in haste, you will make mistakes. This is going to be time consuming. How can we give adequate attention to the pension when we have the budget before us? There is no way to do them both at the same time. Councilmember Shook stated that he is not interested in pushing it off. We may need more professional and legal support. This issue has been around for a long time. He doesn't have a sense of where we are. If we have people who are ready to vote, he is for it instead of spending months discussing it. Chairperson Adrean stated that the President's Office is working with experts who can support us. We made a commitment to have Social Security here and we will do it. It is not fair not to allow them to come before us and speak. Councilmember Moore stated that they can come and express their opinion. The services have to be pro bono though. If we wanted to employ someone, it would take procurement and legislative efforts. She suggests that the President speaks with Council members and see where they are on the pension issues. It will drive whether we can get assistance. What we are contemplating is unreal? If the proposal is voted down we get to start over with other options. The only thing we have before us is the options from the Administration. Councilmember Moore asked what days are available for pension. Chairperson Adrean stated that we have a total of seven days devoted to the budget. Councilmember Moore stated that Fridays are opened. Chairperson Adrean stated that she would rather devote two more hours on Thursdays.

Mr. Dave Walker: addressed the Committee by stating that there are complaints in the Finance Department against the CFO. A couple of months ago someone made a complaint to him. He gave the CFO comments about what was coming forward. He let it go after he confronted her. He has a letter written to Mr. Aman and will give a copy to Chairperson Adrean. The complaints are from senior staff. There are people jumping ship, retiring, etc. He was given a couple pieces of legislation that conflicts with one another. There is money in an account that is used for something else. He thinks that she and the Mayor should talk to the individuals and there will be no retribution. They are afraid of being dealt with. A senior person has said that this is bad as they have seen it. You cannot operate the Finance Department without loyal people. There are people so displeased.

Mr. Ron Shakir: addressed the Committee by stating that the City's direction disturbs him. He cares about the City. Atlanta has lost its way in his opinion. He is concerned with the money the City has spent. There is no partnership with the community. ADA has not been that great. The houses that they have sold show that the owners are not still staying there. When he hears people talk about the pension, he does not think we should move so fast. Council should be careful about rushing. He looks at the role that Housing Code presents. He was disturbed that the Housing Code Division was a response to pitiful conditions of black people's housing. He believes that every house is part of gentrification. When public housing was created it was mostly white people living there. It is a scheme to flip this City. He hopes that you don't vote on the pension reform too quickly. You have to take the time and put in the work. To rush would be criminal and shameful.

ADJOURNMENT

Having no further business before the Committee, the meeting was adjourned at 4:55 p.m.

Respectfully submitted,

Joya C. De Foor, CFO
Secretary

Charlene Parker
Recording Secretary

“The Department of Finance... because customer service is important to us.”